

Baker & Hostetler LLP

45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Nicholas J. Cremona

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

SOUTHERN ENGINEERING CORPORATION
EMPLOYEES' PROFIT SHARING PLAN;
ALBERT H. SMALL, in his capacity as Trustee of
the trust maintained in connection with the
Southern Engineering Corporation Employees'
Profit Sharing Plan; and ALBERT H. SMALL,
individually,

Defendants.

Adv. Pro. No. 10-05081 (SMB)

STIPULATION EXTENDING TIME TO CONCLUDE MEDIATION

This Stipulation Extending Time to Conclude Mediation (“Stipulation”) is submitted pursuant to the Bankruptcy Court’s Order entered November 10, 2010 (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (“Case Management Procedures Order”).

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned herein, that the time by which the Parties must conclude mediation in the above-captioned case is extended up to and including April 3, 2015.

The purpose of this Stipulation is to provide additional time for the Parties to resolve this matter through the mediation process as contemplated under the Case Management Procedures Order.

Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

[THIS PORTION IS INTENTIONALLY LEFT BLANK]

Dated: March 6, 2015
New York, New York

By: /s/ Nicholas J. Cremona
BAKER & HOSTETLER LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Email: dsheehan@bakerlaw.com
Nicholas J. Cremona
Email: ncremona@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
Bernard L. Madoff*

Dated: March 6, 2015
New York, New York

By: /s/ Edward A. Smith
VENABLE LLP
1270 Avenue of the Americas
Rockefeller Center
New York, New York 10020
Telephone: (212) 983-3850
Facsimile: (212) 307-5598
Edward A. Smith
Email: easmith@Venable.com
Vincent E. Verrocchio (*pro hac vice* pending)
Email: veverrocchio@Venable.com

*Attorneys for Defendants Southern Engineering
Corporation Employees' Profit Sharing Plan and
Albert H. Small*

Dated: March 6, 2015
New York, New York

By: /s/ Stuart Hirshfield
STUART HIRSHFIELD
P. O. Box 127
Stockbridge, MA 01262-0127
Telephone: (917) 886-7324
Facsimile: (413) 298-5478
SHirshfield1@gmail.com

Mediator